

Agenda Item XI.: Other Business - Problem-Solving Court Non-Recurring Allocation for Training and Education

Background

As a result of legislative action during the 2019 session, a total of \$1,999,637 in non-recurring problem-solving court (PSC) funding was available for allocation and use during the current fiscal year. The total amount included \$452,313 in non-recurring funds appropriated for FY 2019-20 and \$1,547,324 in unspent funds from FY 2018-19 that were re-appropriated on a non-recurring basis.

The Problem-Solving Court Advisory Group (Advisory Group) and the Trial Court Budget Commission (TCBC) considered and approved requests for non-recurring funding from the circuits in December 2019 and January 2020. During the allocation approval process, all non-recurring requests from the circuits were considered, but the need for PSCs to obtain training and education on best practices, including training topics such as trauma-informed services and medication-assisted treatment, was specifically mentioned in the instructions to the circuits and highlighted in the funding decisions. Additionally, due to the nature of the funds (non-recurring), the timeframe to spend the funds (potentially less than half of the year), and the rapid emergence and expansion of standards and best practices in the field of PSC's, training and education were identified as a priority use of the resources.

Training and education for the entire multi-disciplinary team is allowable beginning in FY 2019-20. Prior to that, training and education was only allowed for staff providing case management, treatment services, drug testing, and ancillary services. Of the total amount of non-recurring funding for allocation, only \$452,313 is available from the FY 2019-20 appropriation with the remaining funds being re-appropriated from unspent funds in FY 2018-19 for the same purposes authorized in FY 2018-19. Therefore, training and education costs for the additional team members (other than those providing case management, treatment services, drug testing, and ancillary services) must come out of the \$452,313 funding for FY 2019-20. Additional information was needed from most circuits requesting funding for these purposes to ensure allocations stay within this funding threshold. Based on current information available, Office of the State Courts Administrator (OSCA) staff anticipates this will not be an issue.

In December 2019, the Advisory Group recommended and the TCBC approved circuit requests for non-recurring funding in the total amount of \$1,268,032 (for 51 problem-solving courts in 16 circuits). In January 2020, the Advisory Group recommended and the TCBC approved circuit requests for non-recurring funding in the total amount of \$731,605 (for 32 problem-solving courts in 15 circuits). In total from both allocation exercises, the circuits received approval to send 166 team members statewide to the National Association of Drug Court Professionals (NADCP) Conference, for a total estimated cost of \$445,337.

Current

Due to the out-of-state location of the NADCP Conference scheduled to be held in Anaheim, California, the chief judges of the circuits must request approval from the Chief Justice in advance of the conference, as provided in the budget and pay administration memorandum. Given the number of attendees and the anticipated expense in traveling to the conference, the TCBC may want to consider if further criteria should be considered in re-evaluating the allocation decisions.

Decisions Needed

Recommendations could be made to the Chief Justice on the number of allowable team members to send to the NADCP Conference per PSC.

General decisions needed: Should limits be established on the number of team members that can attend the NADCP Conference by PSC? Does each PSC team attending NADCP Conference, regardless of size, need to include at least one court representative?

Some options for limiting the number of allowable attendees include the following:

Option 1

If up to 4 team members per PSC (on average) are allowed, it would reduce maximum attendance to the following compared to the circuit requests:

1st Circuit - 24 (from 37)
2nd Circuit - 8 (from 11)
4th Circuit - 16 (from 27)
17th Circuit - 8 (from 21)
18th Circuit - 16 (from 24)

There would be no reductions needed to the other circuits.

This option would reduce the statewide total down from 166 attendees to 118 attendees.

Option 2

The FY 2019-20 Budget and Pay Administration Memorandum allows for the following number of attendees using state funds for specified conferences (e.g., National Association for Court Management Annual Conference):

Small - 2
Medium - 4
Large - 6
Extra Large - 8

This generates a maximum number of 90 attendees statewide. Alternatively, because the NADCP event represents a unique opportunity to provide education for PSCs, the standard out-

of-state conference attendees could be increased by 11% to generate a maximum number of 100 attendees statewide. This alternative option would reduce the statewide total down from 166 attendees to 100 attendees. The total attendees could be distributed across the circuits based on request and number of PSC's, giving a maximum of 3 team members per PSC (on average).

Option 3

The FY 2019-20 Budget and Pay Administration Memorandum allows for 15% of judicial assistants to attend the annual Judicial Assistant conferences, which generates a maximum number of 139 attendees statewide. However, this judicial assistant conference is in-state and represents a significantly smaller percentage of total potential attendees than the problem-solving court potential attendees. This option reduces the statewide total down from 166 to 136 attendees. The total attendees could be distributed across the circuits based on request and number of PSC's, giving a maximum of 5 team members per PSC (on average).